

# Union Calendar No. 393

108TH CONGRESS  
2D SESSION

# H. R. 4045

[Report No. 108-649]

To authorize the Secretary of the Interior to prepare a feasibility study  
with respect to the Mokelumne River, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 2004

Mr. POMBO introduced the following bill; which was referred to the Committee  
on Resources

SEPTEMBER 7, 2004

Reported with an amendment, committed to the Committee of the Whole  
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on March 25, 2004]

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## A BILL

To authorize the Secretary of the Interior to prepare a  
feasibility study with respect to the Mokelumne River,  
and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. AUTHORIZATION OF MOKELUMNE RIVER RE-**  
2 **GIONAL WATER STORAGE AND CONJUNCTIVE**  
3 **USE PROJECT STUDY.**

4 *Pursuant to the Reclamation Act of 1902 (32 Stat.*  
5 *388) and Acts amendatory thereof and supplemental there-*  
6 *to, the Secretary of the Interior (hereafter in this Act re-*  
7 *ferred to as the “Secretary”) is authorized to prepare a fea-*  
8 *sibility study entitled the “Mokelumne River Regional*  
9 *Water Storage and Conjunctive Use Project Study” for a*  
10 *project to provide additional water supply and improve*  
11 *water management flexibility through the development of*  
12 *new water storage and conjunctive use programs.*

13 **SEC. 2. USE OF REPORTS AND OTHER INFORMATION.**

14 *In developing the Mokelumne River Regional Water*  
15 *Storage and Conjunctive Use Project Study, the Secretary*  
16 *shall use, as appropriate, reports and any other relevant*  
17 *information supplied by the Mokelumne River Water and*  
18 *Power Authority, the East Bay Municipal Utility District*  
19 *and other stakeholders.*

20 **SEC. 3. DEADLINE.**

21 *The Secretary shall complete the Mokelumne River Re-*  
22 *gional Water Storage and Conjunctive Use Project Study*  
23 *and provide copies of that study to the Committee on Re-*  
24 *sources of the House of Representatives and the Committee*  
25 *on Energy and Natural Resources of the Senate not later*  
26 *than 2 years after the date of the enactment of this Act.*

1 **SEC. 4. COST SHARES.**

2       (a) *FEDERAL SHARE.*—*The Federal share of the costs*  
3 *of the Mokelumne River Regional Water Storage and Con-*  
4 *junctive Use Project Study shall not exceed 50 percent of*  
5 *the total cost of the study.*

6       (b) *IN-KIND CONTRIBUTIONS.*—*The Secretary shall ac-*  
7 *cept, as appropriate, such in-kind contributions of goods*  
8 *or services from the Mokelumne River Water and Power Au-*  
9 *thority as the Secretary determines will contribute to the*  
10 *conduct and completion of the Mokelumne River Regional*  
11 *Water Storage and Conjunctive Use Project Study. Goods*  
12 *and services accepted under this section shall be counted*  
13 *as part of the non-federal cost share for that study.*

14 **SEC. 5. WATER RIGHTS.**

15       *Nothing in this Act shall be construed to invalidate,*  
16 *preempt, or create any exception to State water law, State*  
17 *water rights, or Federal or State permitted activities or*  
18 *agreements.*

19 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

20       *There is authorized to be appropriated to the Secretary*  
21 *\$3,000,000 for the Federal cost share of the Mokelumne*  
22 *River Regional Water Storage and Conjunctive Use Project*  
23 *Study.*

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2<sup>D</sup> Session

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